

**DOWE**  
**36412-070703**



***ROANOKE CITY COUNCIL  
ORGANIZATIONAL MEETING  
REGULAR SESSION***

***JULY 7, 2003  
9:00 A.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

**Call to Order--Roll Call.** (Council Members Dowe and Wyatt were absent.)

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies and to conduct interviews on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**File #110-132**

**Approved (5-0)**

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

**File #80-132**

**Approved (5-0)**

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

**File #2-166-132**

**Approved (5-0)**

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

**File #2-166-132**

**Approved (5-0)**

**Council Member Dowe entered the meeting.**

A communication from the City Attorney requesting that Council convene in a Closed Meeting for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

**File #83-132**

**Approved (6-0)**

**THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOLLOWING INTERVIEWS FOR APPOINTMENTS TO THE CITY PLANNING COMMISSION AND THE ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY.**



## ***COUNCIL WORK SESSION***

***JULY 7, 2003***

***9:00 A.M.***

***ROOM 159***

### ***AGENDA***

**(All Council Members were present.)**

1. Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (25 minutes)
2. Topics for discussion by the Mayor and Members of Council. (15 minutes)
3. Agenda items for the August 4, 2003 joint meeting of Council and the City Planning Commission. (10 minutes)
4. Briefings by City Staff:
  - Fair Housing Ordinance - (15 minutes)
  - Williamson Road Improvements - (15 minutes)

**THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M. IN THE COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL  
ORGANIZATIONAL MEETING  
REGULAR SESSION***

***JULY 7, 2003  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

- 1. Call to Order--Roll Call.** (Council Member Fitzpatrick was absent.)

The Invocation was delivered by The Reverend Veronica Venable, Staff Minister, Harvest Ministries, Church of God of Prophecy.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 10, 2003, at 7:00 p.m., and Saturday, July 12, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), TO OBTAIN AN APPLICATION.**

## **ORGANIZATIONAL MEETING**

A Resolution establishing a meeting schedule for City Council for the fiscal year beginning July 1, 2003 and terminating June 30, 2004, and rescheduling one regular meeting held in the month of October, 2003.

**Adopted Resolution No. 36414-070703. (6-0)**  
**File #132**

## **REGULAR SESSION**

### **2. PRESENTATIONS AND ACKNOWLEDGMENTS:**

A Resolution memorializing the late Samuel P. McNeil.

**Adopted Resolution No. 36412-070703. (6-0)**  
**File #80-367**

### **3. CONSENT AGENDA**

**(APPROVED 6-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

C-1            Minutes of the special meeting of Council held on Monday, May 12, 2003, and the regular meeting held on Monday, May 19, 2003.

**RECOMMENDED ACTION:** Dispense with the reading of the minutes and approve as recorded.

- C-2           A communication from Council Member William D. Bestpitch with regard to establishing terms of office of members of the Roanoke Neighborhood Advocates.

RECOMMENDED ACTION: Concur in the communication.

**File #110-488**

- C-3           A communication from the City Manager requesting that Council schedule a public hearing for Monday, July 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to encroachments into public right-of-way of modular newsracks at the Center In The Square and SunTrust Buildings.

RECOMMENDED ACTION: Concur in the request.

**File #28-32-227-425**

- C-4           A communication from the City Manager requesting that Council schedule a public hearing for Monday, July 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request to enter into a new lease agreement with Nextel WIP Lease Corp., a Delaware general partnership, d/b/a Nextel Partners, to lease a portion of the Summit Water Tank and ground site.

RECOMMENDED ACTION: Concur in the request.

**File #373-468**

- C-5           Minutes of a meeting of the Audit Committee held on Monday, June 2, 2003.

RECOMMENDED ACTION: Receive and file.

**File #300**

- C-6           A communication from the Director of Finance with regard to requalification of the City of Roanoke Pension Plan under the Internal Revenue Code.

RECOMMENDED ACTION: Receive and file.

**File #429**

C-7 Qualification of the following persons:

W. Richard Clemmer, Jr., as a member of the Youth Services Citizen Board, for a term ending May 31, 2006;

James Settle as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2006;

Michael L. Ramsey as a member of the Roanoke Public Library Board, for a term ending June 30, 2006; and

Lucy R. Ellett as a member of the Roanoke Valley Greenway Commission, for a term ending June 30, 2006.

RECOMMENDED ACTION: Receive and file.  
File #15-67-110-304-323-379

## **REGULAR AGENDA**

### **4. PUBLIC HEARINGS: NONE.**

**Resolution No. 36397-061603 was reconsidered. It was the consensus of Council that the resolution will remain in effect as adopted on June 16, 2003.**

### **5. PETITIONS AND COMMUNICATIONS:**

- a. Briefing with regard to the Campaign for Airfares. Elizabeth S. Doughty, President, Roanoke Regional Chamber of Commerce.

**No Action.**  
**File #9-99**

### **6. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

BRIEFINGS: NONE.



ITEMS RECOMMENDED FOR ACTION:

1. Amendment to the City Code to reflect elimination of the sunset provision on the \$5.00 fee assessed on cases for courthouse security.

**Adopted Ordinance No. 36415-070703. (6-0)**  
**File #5-24-377**

2. Establishment of the City's intent to continue participation in the Regional Alliance; and approval of the methodology for distribution of incentive funds.

**Adopted Resolution No. 36416-070703. (6-0)**  
**File #60-326**

3. Authorization to purchase property located at 120 Commonwealth Avenue, N. E., for use as a gateway to downtown Roanoke.

**Adopted Budget Ordinance No. 36417-070703 and Ordinance No. 36418-070703. (6-0)**  
**File #2-60-166-277**

4. Execution of an amendment to the 2002-03 CDBG and HOME Agreement with the Roanoke Redevelopment and Housing Authority.

**Adopted Resolution No. 36419-070703. (6-0)**  
**File #178**

5. Execution of an amendment to the 2002-03 CDBG and HOME Agreement with the Blue Ridge Housing Development Corporation.

**Adopted Resolution No. 36420-070703. (6-0)**  
**File #178**

6. Acceptance of Department of Criminal Justice Services Byrne Grant funds, in the amount of \$570,519.00; and execution of a subgrant agreement with Virginia CARES, Inc.

**Adopted Budget Ordinance No. 36421-070703 and Ordinance No. 36422-070703. (6-0)**  
**File #60-236**

7. Amendment to the City Code to allow expansion of the Downtown Residential Parking Permit Program.

**Adopted Ordinance No. 36423-070703. (6-0)**  
**File #277-556**

8. Authorization to purchase property rights for the Roanoke Water Pollution Control Plant Wet Weather Project.

**Adopted Ordinance No. 36424-070703. (6-0)**  
**File #2-28-468**

9. Authorization to transfer \$540,159.00 in connection with fiscal year 2003-04 funding recommendations by the Human Services Committee for certain qualified agencies.

**Adopted Budget Ordinance No. 36425-070703. (5-1, Mayor Smith voted no.)**  
**File #60-72-110**

10. Acceptance of fees for training of Roanoke County police officers, recruit officers and dispatchers at the Police Academy.

**Adopted Budget Ordinance No. 36426-070703. (6-0)**  
**File #5-60**

11. Execution of documents to refinance the HUD Section 108 Loan, and authorization to execute an amendment to the loan agreement with the Roanoke Redevelopment and Housing Authority and Hotel Roanoke, LLC.  
(Joint report of the Director of Finance and the City Manager.)

**Adopted Resolution No. 36413-070703. (6-0)**  
**File #178-247-329**

b. DIRECTOR OF FINANCE:

1. Financial report for the month of May 2003.

**Received and filed.**  
**File #1-10**

2. Recommendation for reappropriation of certain accounts to fiscal year 2003-04.

**Adopted Budget Ordinance No. 36427-070703. (6-0)**  
**File #60**

## **7. REPORTS OF COMMITTEES:**

- a. Recommendation of the City Planning Commission to rename the Railside Linear Walk the O. Winston Link Railwalk.

**Adopted Resolution No. 36428-070703. (6-0)**  
**File #200-392**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Wyatt expressed appreciation to the Volunteer Fire Department in Scruggs, Virginia, for their assistance in connection with a family member who needed oxygen over the July 4<sup>th</sup> weekend.**

**File #70-80**

**Mayor Smith commended all persons involved in the City's July 4<sup>th</sup> activities.**

**File #80**

**Council Member Cutler commended the City of Roanoke Fire/EMS Department in connection with their efforts to extinguish a fire on Cornwallis Avenue, S. E., on July 5<sup>th</sup>.**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. Jim Fields, 17 Richcrest Road, Hardy, Virginia, spoke in support of preserving Victory Stadium.**

**File #122**

**Ms. Alice Hinchey, 4024 South Lake Drive, S. W., and Mr. Joe "Butch" Church, 1921 Greenmill Drive, S. W., spoke in support of reinstatement of School Resource Officer, Ray Lewis.**

**File #5-467**

**Mr. Robert Gravely, 3360 Hershberger Road, N. W., expressed concern with regard to the City's aging infrastructure, creation of more jobs leading to home ownership for citizens, and sufficient wages for City of Roanoke employees.**

**File #5-60-66-178-184**

**Mr. Hugh Mayo, 930 Lafayette Boulevard, N. W., owner of Big Daddy's, 413 1st Street, S. W., expressed concern with regard to alleged discrimination by the Roanoke City Police Department.**

**File #5-66**

**Council Member Fitzpatrick entered the meeting.**

## **12. CITY MANAGER COMMENTS: NONE.**

**The meeting was declared in recess for continuation of the Closed Sessions.**

**CERTIFICATION OF CLOSED SESSION. (4-0, Council Members Fitzpatrick, Harris and Bestpitch were absent.)**

**The following persons were appointed/reappointed to Council-appointed Boards and Commissions:**

**City Planning Commission  
File #15-110-200**

**Paula Prince to fill the unexpired term of S. Wayne Campbell, ending December 31, 2004.**

**Roanoke Redevelopment and Housing Authority  
File #15-110-178**

**Greg Feldmann to fill the unexpired term of Beverly T. Fitzpatrick, Jr., ending August 31, 2006.**

**Court Community Corrections Program Regional Community Criminal Justice Board  
File #110-242**

**Gail Burrus for a term ending June 30, 2006.**

**Human Services Committee  
File #72-110**

**Frank W. Feather,  
Pamela  
Kestner-Chappelear and  
Judy O. Jackson for  
terms ending June 30,  
2004.**

**Flood Plain Committee  
File #110-237**

**Kathy S. Hill, E. L. Noel  
and Herbert C. Berding,  
Jr., for terms ending  
June 30, 2004.**

**War Memorial Committee  
File #110-518**

**Sloan H. Hoopes for a  
term ending June 30,  
2004.**

**Mill Mountain Advisory Committee  
File #67-110**

**E. C. Pace, III, Eddie  
Wallace, Jr., Michael A.  
Loveman and Carl H.  
Kopitzke for terms  
ending June 30, 2004.**

**Personnel and Employment  
Practices Commission  
File #15-110-202**

**Alphonzo L. Holland,  
Sr., and Carol D.  
Tuning for terms ending  
June 30, 2006.**

**Roanoke Valley-Alleghany Regional  
Commission  
File #15-110-326**

**William D. Bestpitch,  
Darlene L. Burcham  
and R. Brian Townsend  
for terms ending  
June 30, 2006.**

**Roanoke Neighborhood Advocates  
File #110-488**

**Sandra Kelley (three  
year term)**

**Youth Services Citizen Board  
File #15-110-305**

**Kristina W. Hodges for  
a term ending May 31,  
2006.**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL FRIDAY, JULY 18, 2003, AT 12:00 NOON, FOR THE REGIONAL LEADERSHIP SUMMIT LUNCHEON TO BE HOSTED BY ROANOKE COUNTY AT VIRGINIA'S EXPLORE PARK (VISITOR CENTER THEATER), 3900 RUTROUGH ROAD, S. E., ROANOKE, VIRGINIA.**